

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JEREMY BARNHILL,

Plaintiff,

vs.

BOSSELMAN PUMP AND PANTRY,
INC.,

Defendant.

8:20CV208

ORDER

Plaintiff Jeremy Barnhill was served with discovery in September of 2020. Defendant granted Plaintiff's request for additional time to respond, but Plaintiff did not timely respond in accordance with that extension. Instead, Plaintiff's former counsel moved to withdraw and was granted leave to do so on December 1, 2020.

After new counsel entered an appearance for Plaintiff on December 31, 2020, Defendant Bosselman again requested discovery responses. Plaintiff did not respond by the new and extended deadline provided by Defendant to Plaintiff. At defense counsel's request, the Court ordered that a telephonic hearing would be held on February 25, 2021. In addition to notice through the court's electronic filing system, my chambers sent an email to Plaintiff's counsel notifying him of the hearing date and time and providing the calling instructions to participate.

The hearing began today as scheduled. The court and counsel waited ten minutes for Plaintiff's counsel to join, but he did not. (Filing No. 28). And even after the minutes and audio file of that hearing were docketed and sent to

counsel, he has not contacted the court to explain his absence or inability to attend.

Accordingly,

IT IS ORDERED that Plaintiff Jeremy Barnhill is given until March 18, 2021 to show cause why the court should not dismiss his claims for want of prosecution. Plaintiff's failure to timely comply with this order may result in dismissal of all his claims against Defendant Bosselman Pump and Pantry, Inc. without further notice.

February 26, 2021.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge